

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 CHARLES L. BIBBS,

Plaintiff,

09 v.

Case No. C08-1620-TSZ-MAT

10 TUKWILA POLICE DEPARTMENT,
11 *et al.*,

ORDER RE: DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT

Defendants.
12

13 This is a civil rights action brought under 42 U.S.C. § 1983. On November 19, 2010,
14 defendants filed a motion for summary judgment which was noted on the Court's calendar for
15 consideration on December 17, 2010. (Dkt. No. 57.) On January 26, 2011, over seven weeks
16 after plaintiff's response to defendants' motion was due, the Court received from plaintiff a
17 brief entitled "Plaintiff's Opposition and Objection to Defendant's Summary Judgment."
18 (Dkt. No. 62.) Following a careful review of defendants' motion papers, plaintiff's recently
19 filed opposition brief, and the remaining record, this Court concludes that it is appropriate to
20 accept plaintiff's late-filed response. The Court further concludes that a reply brief from
21 defendants which addresses the arguments raised by plaintiff in his response would aid the
22 Court in its resolution of defendants' summary judgment motion.

ORDER RE: DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT - 1

01 Accordingly, the Court does hereby ORDER as follows:

02 (1) Defendants shall file and serve a reply brief in support of their pending motion
03 for summary judgment not later than ***February 18, 2011***.

04 (2) Defendants' motion for summary judgment (Dkt. No. 57) is RE-NOTED on the
05 Court's calendar for consideration on ***February 18, 2011***.

06 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
07 defendants, and to the Honorable Thomas S. Zilly.

08 DATED this 2nd day of February, 2011.

09
10 

11 Mary Alice Theiler
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22